

**UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

CHRISTIAN HOLINKA,

Plaintiff,

v.

A. W. CHESTERTON COMPANY, et al.,

Defendants.

ECF case

CIVIL ACTION NO. 07-cv-8019 (SHS)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK

)

) SS:

COUNTY OF NEW YORK

)

Alfred Monico, being duly sworn, deposes and says:

1. I am over the age of eighteen years, and am not a party to this action.
2. On the 12th day of September 2007, I served a true and correct copy of (a) the Notice of Removal in the above-referenced action, (b) the Declaration of Timothy J. Fraser, and (c) the Rule 7.1 Statement of Baxter Healthcare Corporation upon (1) James Long, Esq., at WEITZ & LUXENBERG, P.C., 180 Maiden Lane, New York, NY 10038-4925, (2) Kristy Kulina Lyons, Esq., at HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP, 40 Paterson Street, New Brunswick, New Jersey 08901, and (3) Carol M. Tempesta, Esq., at MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C., 530 Saw

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Mill River Road, Elmsford, NY 10523, that being their last known addresses, by overnight delivery by depositing a copy in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of Federal Express within the State of New York.

By: Alfred Monico

Sworn to before me this
13th day of September 2007

Gertrude Sofman

GERTRUDE SOFMAN
Notary Public, State of New York
No. 01806092095
Qualified in New York County
Commission Expires July 23, 2011